

TEXAS TRANSPORTATION COMMISSION

MATAGORDA County

MINUTE ORDER

Page 1 of 1

YOAKUM District

In Matagorda County, along the Gulf Intracoastal Waterway, the State of Texas (state) acquired an easement over certain land now needed by the United States of America and its assigns, acting by and through the U.S. Army Corps of Engineers (USA). The easement was conveyed by instruments recorded in Volume 242, at Page 737, and in Volume 242, at Page 746, of the Official Records of Matagorda County, Texas.

The USA is engaged in the maintenance and construction of the Gulf Intracoastal Waterway project as authorized by acts of Congress, and it is necessary that suitable dredge material disposal areas be made available for the furtherance of such work.

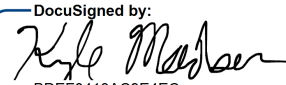
The state, acting by and through the Texas Transportation Commission (commission), desires to fulfill its role as nonfederal sponsor, as authorized by the Texas Coastal Waterway Act, Transportation Code, Chapter 51, by providing the land necessary for suitable dredge material disposal sites.

Texas Government Code, Section 2204.203, authorizes the governor of the State of Texas, on the recommendation of the commission, to convey to the USA, with or without monetary consideration, an easement or other interest in land that may be needed for the construction, operation, and maintenance of such a civil works project as described above.

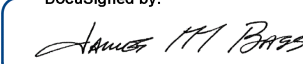
It is the opinion of the commission that it is proper and correct that the state convey an easement in the land, as described in Exhibit A, to the USA for the purposes described in this minute order.

NOW, THEREFORE, in consideration of the foregoing premises and in accordance with the provisions of the applicable statutes, it is hereby recommended by the commission that the governor of the State of Texas execute a proper instrument conveying to the United States of America and its assigns, acting by and through the U.S. Army Corps of Engineers, a 50-year easement interest in the land, as described in Exhibit A, for the purposes of depositing or storing dredge material from the main channel of the Gulf Intracoastal Waterway, with the option to automatically terminate and be null and void and of no further effect before the end of the 50-year term, on the execution by the USA and acceptance by the state of an affidavit in recordable form stating that the purposes for which the conveyance is made are no longer necessary.

Submitted and reviewed by:

DocuSigned by:  
  
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Director, Right of Way Division

Recommended by:

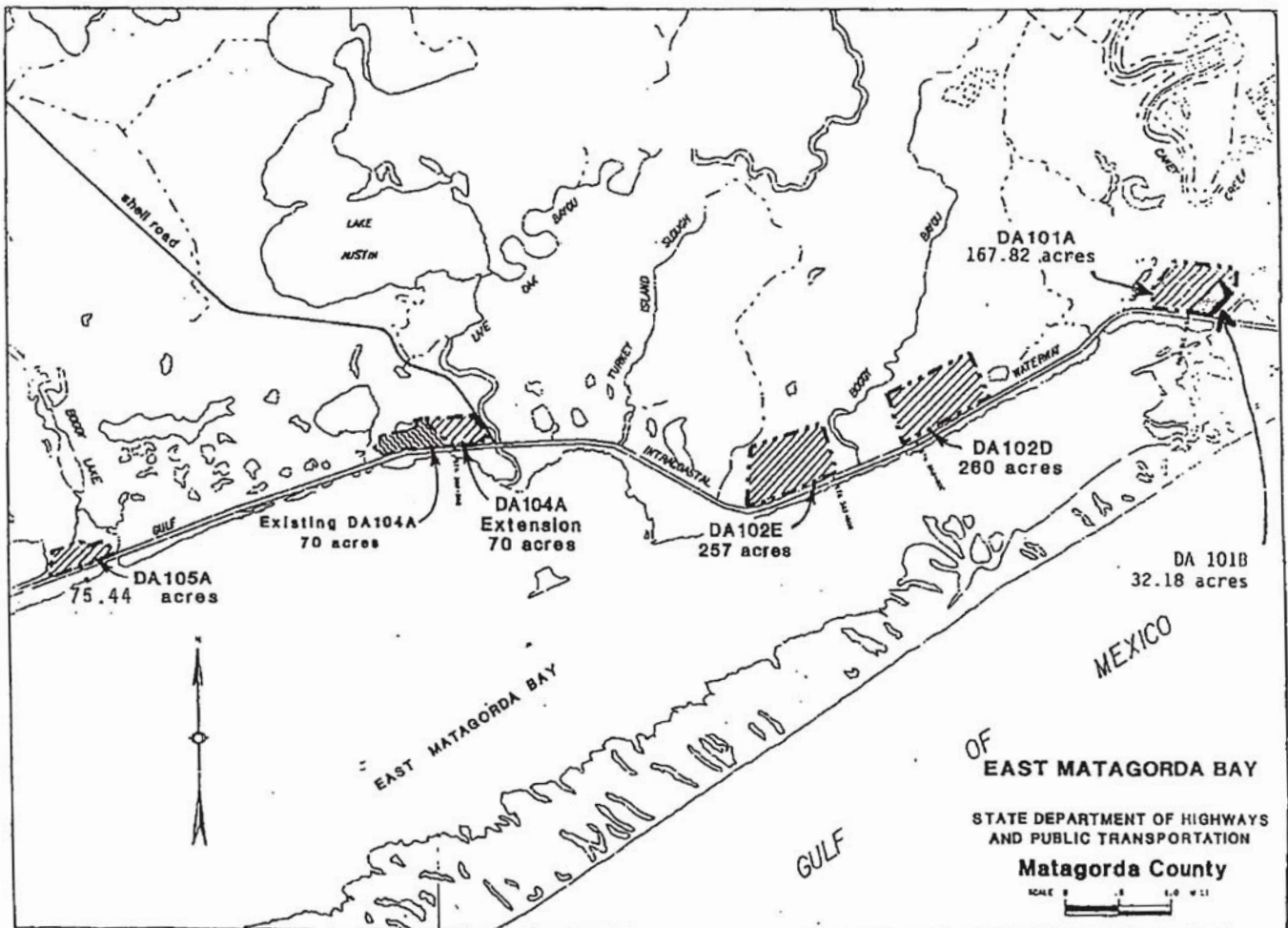
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Executive Director

115967 Feb. 25 2021

Minute	Date
Number	Passed

## EXHIBIT A

# Matagorda County, Texas



## Placement Area 102D

Being 260.13 acres, more or less, herein designated as Disposal Site DA102D, situated in and a part of the Samuel Hoit Survey, Abstract No. 48, the D. Mead Survey, Abstract No. 449 and the A. B. Vandergriff Survey, Abstract No. 401, Matagorda County, Texas. Said 260.13 acres, more or less, is in and a part of the G. Baer Estate described in Volume T, Page 225 and Volume V, Page 318, of the Deed Records of Matagorda County, Texas. This 260.13 acres, more or less, is more particularly described by metes and bounds as follows:

BEGINNING at a point in the North 150-foot reference line (Canal Right of Way Line) of the Gulf Intracoastal Waterway at Corp of Engineers Station 356+000, and bears South 60° 38' 02" W, 2188.62 feet from the intersection of the said reference line, and the East line of said Baer Estate also being the West line of the Harrison 350 acres, as recorded in Volume 450, Page 137 of the Deed Records of Matagorda County, Texas, for the Southeast corner of the herein described 260.13 acres;

THENCE, S 60° 38' 02" W, with said North reference line, a distance of 4121.00 feet to the beginning of a curve to the right;

THENCE, continuing with said reference line with a curve to the right, with the following curve data: Delta 08° 40' 37"; Radius 2488.42 feet, an arc distance of 376.85 feet, with a Chord Bearing of S 64° 58' 20" W, a distance of 376.49 feet to the point of tangency of said curve;

THENCE, S 69° 18' 39" W, with said North reference line, a distance of 502.00 feet to a point at Corp of Engineers Station 361+00 for the Southwest corner of this 260.13 acres being described;

THENCE, N 20° 41' 21" W, at 300.00 feet passing a 5/8-inch iron rod set on line, a total distance of 2350.00 feet to a 5/8-inch iron rod set for the Northwest corner of the herein described 260.13 acres;

THENCE, N 69° 18' 39" E, a distance 512.50 feet to a 5/8-inch iron rod set for a corner of this 260.13 acres being described;

THENCE, N 60° 38' 02" E, a distance of 4131.50 feet to a 5/8-inch iron rod set for the Northeast corner of the herein described 260.13 acres;

THENCE, S 29° 21' 58" E, at 2050.00 feet passing a 5/8-inch iron rod set on line, a total distance of 2350.00 feet THE PLACE OF BEGINNING; CONTAINING within these metes and bounds 260.13 acres, more or less, of which 25.26 acres, more or less, is in the waters of the Gulf Intracoastal Waterway situated in and a part of the Samuel Hoit Survey, Abstract No. 48, the D. Mead Survey, Abstract No. 449 and the A. B. Vandergriff Survey, Abstract No. 401, Matagorda County, Texas.